

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ROLANDO AMBRIZ,

Plaintiffs,

v.

GLENN HEGAR, *in his official capacity*,

Defendant.

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1:22-CV-01067-DII

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Mark Lane concerning Defendant's Motion to Dismiss, (Dkt. 21). (R. & R., Dkt. 34). Plaintiff Rolando Ambriz ("Ambriz") and Defendant Glenn Hegar, in his official capacity, ("Hegar"), each timely filed objections to the report and recommendation. (Dkt. 36; Dkt. 37).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Ambriz and Hegar each timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules both Ambriz's and Hegar's objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Mark Lane, (Dkt. 34), is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss, (Dkt. 21), is **GRANTED IN PART AND DENIED IN PART AS FOLLOWS**: Ambriz's state-law claims and any federal claim seeking retrospective relief or damages are **DISMISSED WITHOUT**

PREJUDICE. Ambriz's prospective declaratory and injunctive claims are **DISMISSED WITH PREJUDICE.**

All relief not expressly granted herein is **DENIED.**

The Court will enter final judgment by separate order.

SIGNED on July 28, 2023.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE